

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEBRASKA

UNITED STATES OF AMERICA,	)	
	)	
Plaintiff,	)	4:08CR3005
	)	
v.	)	
	)	
JEREMY HORTON,	)	MEMORANDUM
	)	AND ORDER
Defendant.	)	

The government has moved for a sixty-day continuance of the trial currently set for March 31, 2008. (Filing No. 14). In support of its motion, the government states it is currently examining information on two laptop computers and eleven digital portable computer hard drives in preparation for trial, but due to the large volume of computer information at issue, this forensic examination is not yet complete. The government and defendant agree that the computer forensic examination must be completed before trial or further proceedings in this matter.

The government states it cannot reasonably be ready for trial on or before March 31, 2008, and could not have reasonably completed its trial preparation within the time limits established by the Speedy Trial Act. The government therefore requests both a continuance of the trial and exclusion of the time attributable to this continuance pursuant to 18 U.S.C. § 3161(h)(8)(B)(ii).

The Court, being fully advised in the premises, finds that the government's motion should be granted.

IT IS ORDERED:

- 1) The government's motion to continue, (filing no. 14), is granted.
- 2) The defendant's trial is set to commence at 9:00 a.m. on June 2, 2008 for a duration of four trial days. Jury selection will be at the commencement of trial.
- 3) Based upon the showing set forth in the government's motion and the representations of its counsel, the Court further finds that this case is "unusual" and "complex" within the meaning of 18 U.S.C. 3161(h)(8)(B)(ii); the ends of justice will be served by continuing the trial; and that the purposes served by continuing the trial date in this case outweigh the interest of the defendant and the public in a speedy trial. Accordingly, the time between today's date and June 2, 2008 shall be excluded for speedy trial calculation purposes. 18 U.S.C. § 3161(h)(8)(A) and 18 U.S.C. § 3161(h)(8)(B)(ii).

DATED this 18<sup>th</sup> day of March, 2008.

BY THE COURT:

*s/Richard G. Kopf*  
United States District Judge